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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/063,565	05/02/2002	Audrey Goddard	P3230R1C001-168	2399
30313	7590	05/17/2005	EXAMINER	
KNOBBE, MARTENS, OLSON & BEAR, LLP 2040 MAIN STREET IRVINE, CA 92614			ART UNIT	PAPER NUMBER

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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16/063,565

5/2/02

Goddard et al.

EXAMINER

J. Jason Galvez

ART UNIT

PAPER

20050513

DATE MAILED:

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Commissioner for Patents

Receipt is acknowledged of a request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on 21 March 2005. The submission, however, is not fully responsive to the prior Office action because Applicant has cancelled all previously examined claims and has added new claims that are not drawn to the originally elected invention. The new claims and arguments contained in amendments filed 01 April 2005 are directed to antibodies whereas the original invention was directed to polypeptides.

While CPA practice under 37 CFR 1.53(d) is directed to a continuing application and allows for filing a divisional application as a CPA application, RCE practice under 37 CFR 1.114 is directed to continued prosecution of the same invention in the same application and does not allow for switching inventions as a matter of right (divisional equivalent). See also 35 U.S.C. § 1.129(a) for CPA practice and 35 U.S.C. § 132(b) for RCE practice. Since the submission appears to be a bona fide attempt to provide a complete reply to the prior Office action, Applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period for reply supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Jason Galvez whose telephone number is (571) 272-2935. The Examiner can normally be reached on 8:30-5:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brenda Brumback can be reached at (571) 272-0887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bridget C. Bunner  
patent examiner

JJG  
Art Unit 1647  
15 May 2005